

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No. 09/636,731)	Group Art Unit: 3643
Filing Date: August 13, 2000)	Examiner: Rowan, Kurt C.
For: Chest Fly Box System)	Docket No: 13174.101US
Inventor: Jerry Moore)	(Formerly 9283/001)

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence, along with all papers referred to as being transmitted, are being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 305-3897 306-4195 ✓

July 22, 2003
Date

Elaine C. VonSpreckelsen
Elaine C. VonSpreckelsen

BOX AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

This Amendment and Remarks are responsive to the Final Office Action mailed April 23, 2003. This response is being filed along with a Request For Continuing Examination (RCE).

OFFICIAL

Serial No. 09/636,731
Amendment And Remarks In Response To
Final Office Action Mailed 04/23/03
Page - 1
181015-1

FAX RECEIVED

JUL 23 2003

GROUP 3600

PTO/SB/30 (05-03)
 Approved for use through 04/30/2003. OMB 0551-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request For Continued Examination (RCE) Transmittal

Address to:
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number	09/638,731
Filing Date	10 Aug 2000
First Named Inventor	Jerry Moore
Art Unit	3643
Examiner Name	Rowan, Kurt C.
Attorney Docket Number	13174.101 (Formerly 9283/001)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☒ Amendment/Reply
 ii. ☐ Affidavit(s)/Declaration(s)
 iii. ☐ Information Disclosure Statement (IDS)
 iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1848

- i. ☒ RCE fee required under 37 C.F.R. 1.17(e) (\$370.00)
 ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
 iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Phyllis K. Wood	Registration No. (Attorney/Agent)	38,683
Signature	<i>Phyllis K. Wood</i>	Date	July 22, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)	Elaine C. VonSpreckelsen
Signature	<i>Elaine C. VonSpreckelsen</i>
Date	July 22, 2003

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OFFICIAL
 FAX RECEIVED
 JUL 23 2003
 GROUP 3600

PATTON BOGGS LLP
ATTORNEYS AT LAW

1660 Lincoln Street, Suite 1300
Denver, CO 80264-1901
303-830-1776

Facsimile: 303-894-9239

To: Examiner: Kurt C. Rowan *7-24-03*
Company: Commissioner Of Patents
Fax Number: 1-703-~~308-3333~~ 306-4195
Phone Number: 1-703-308-2321
Application No.: 09/636,731

Total Pages
Including Cover: 18 12

From: Elaine C. VonSpreckelsen, Sec. to Phyllis K. Wood

Sender's Direct Line: 303-894-6163

Date: July 22, 2003

Client Number: 13174.101US (Formerly 9283/001)

Comments:

ANCHORAGE

BOULDER

DALLAS

DENVER

NORTHERN VIRGINIA

WASHINGTON, D.C.

Confidentiality Note: The documents accompanying this facsimile contain information from the law firm of Patton Boggs LLP which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile is strictly prohibited, and that the documents should be returned to this Firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Serial No.: 09/636,731 ✓ **Group No.** 3643
Filed: 10 Aug 2000 **Examiner:** Rowan, Kurt C.

Attached please find the following documents to be entered in the above application:

1. Amendment and Remarks responsive to the Final Office Action mailed April 23, 2003 (9 pages).
2. Request For Continued Examination Transmittal Form PTO/SB/30 (2 for a total of 2 pages).

If you have any questions, please do not hesitate to contact me Thank you!

If you did not receive all of the pages or find that they are illegible, please call 303-830-1776.

OFFICIAL

FAX RECEIVED

JUL 23 2003

GROUP 3600